

CITY OF MILPITAS
COMMUNITY ADVISORY COMMISSION
MILPITAS CITY HALL COMMITTEE MEETING ROOM
UNAPPROVED MINUTES
October 1, 2003

**I.
Call to Order
and Roll Call**

Chair Garcia called the meeting to order at 7:00 p.m. Present were Commissioners Abelardo, Cook, Mandal, Mohsin, Pham, and Robinson (7:30 pm). Alternates present were Commissioners Ranker, Lee (7:08 pm), and Luna. Absent: Commissioners Illoreta, King, and Ortiz, Jr.

**II.
Seating of
Alternates**

Alternates seated were Ranker, Lee, and Luna.

**III.
Pledge of
Allegiance**

Commissioner Abelardo led the Pledge of Allegiance.

**IV.
Approval of
Agenda**

MOTION to approve the Agenda as submitted.

M/S: Mohsin, Mandal

Ayes: 8

Absent: 1 (Lee, arrived
7:08 pm)

**V.
Approval of
Minutes**

MOTION to approve the Minutes of September 3, 2003.

M/S: Abelardo, Mohsin

Ayes: 7

Abstain: 1 (Mandal)

Absent: 1 (Lee, arrived
7:08 pm)

**VI.
Announcements**

Chair Garcia announced the Town Hall meeting on Thursday, October 9, 2003 at 7:00 pm in the Community Center Auditorium.

Staff announced that an affordable housing unit is available for sale and to contact Felix Reliford for any questions. Staff also announced that a copy of the new CAC bylaws were included in their packets.

**VII.
Citizens' Forum**

Chair Garcia invited members of the audience to address the Commission on any item not on the agenda.

Neola Swanson, 311 Carnegie – Mrs. Swanson Expressed concern about her home not being done yet from the housing rehabilitation loan she received from the City. Gloria Anaya, Sr. Housing and Neighborhood Preservation Specialist, stated that City Inspector, Jim Dutton, has spoken to Mr. Swanson regarding securing a designer to draw up the plans for their home. The plans have been submitted to the City this week. She stated

that she will be in contact with the Swanson's on a weekly basis. Commissioner Ranker asked how long it will be before the work is started. Ms. Anaya stated the loan still has to go through the Loan Committee for approval and the homeowners must agree on the work write up to be done. The City then has to put the job out to bid.

VIII. Liaison Reports

A. City Council

Councilmember Polanski introduced herself to the Commission and gave a brief summary of the most recent City Council items. There was discussion on the BART Extension to San Jose. The VTA will be meeting at City Hall on October 6, 2003 at 12:30 pm in the Council Chambers at City Hall. The Council approved out-of-state travel for several people to go to New York to meet with bonding agencies and insurers for the Redevelopment Agency. There was discussion about next year's Commissioners Dinner. There were suggestions on having the event later in the summer and having a barbeque or having an appetizer or dessert social gathering. In lieu of presenting a gift to the Commissioners, it is being considered whether the Commissioners would like to gift a piece of art to the entire City for the 50th anniversary. There was discussion from staff about a proposed sidewalk ordinance. Council has directed staff to research this item based on the California Streets and Highway Code. Council has also directed staff to bring this back to the CAC as well as the Planning Commission for public comment review prior to an ordinance for sidewalks.

IX. Public Hearing

a. Review of Community Development Block Grant (CDBG) Funding Priorities for FY 2004-2006.

Gloria Anaya from staff stated that the City Council established the policy of reviewing the Community Development Block Grant (CDBG) funding priorities in January 1998. The last time the funding priorities were adopted by Council was November 2001. The next cycle will be February 2004. In accordance with HUD guidelines, the City of Milpitas has split its CDBG funding allocation between public services (typically, non-profit organizations offering services which predominately benefit lower income households) and non-public services (other funding categories including housing activities). During the next fiscal year 2004-2005, the City of Milpitas expects to receive \$726,000 in CDBG funds.

Since November 2001, the following priorities have been established:

Public Service

1. Senior Services
2. Homeless Sheltering / Services
3. Child Care
4. Youth Teen Services
5. Crime Prevention
6. Battered Women Sheltering / Services

Non-Public Service

1. Home Repair / Rehabilitation
2. New Affordable Housing Construction
3. Rental Rehabilitation

Since the City of Milpitas became an entitlement city in 1997, CDBG services and activities have been extremely beneficial in assisting Milpitas' low and moderate-income residents. Furthermore, Milpitas has received positive feedback from HUD on meeting its goals and objectives outlined in the five-year Consolidated Plan (2002-2007). Given the success of the existing priorities, staff is recommending that the CAC maintain the

existing priorities for the next two fiscal years for 2004-2006 with the following exceptions.

1. Staff recommends moving Public Service priority #4 to #2 for Youth Teen Services. During the past several years, the City has used CDBG funds to assist the Parks and Recreation Division with three new programs. Given the success and popularity of these new programs, staff recommends revising the priority ranking to maintain appropriate funding for these programs in the future.
2. Staff recommends deleting crime prevention from the priority ranking. During the past six years of being a CDBG entitlement city, the CAC and City Council have funded this priority only once for the Residential Security Bars Program for the Fire Department. This program was funded in 1999 for \$24,750, of which only \$7,139 was spent and the remaining balance was reprogrammed two years ago.

Staff stated that the CAC recommendations that are made tonight will be forwarded to the City Council on October 21, 2003.

Chair Garcia opened the Public Hearing.

Gina Cardinale of Second Harvest Food Bank – Ms. Cardinale stated that Second Harvest Food Bank Operation Brown Bag is a senior citizen program that provides food to seniors aged 55 years and over. During the past year, Ms. Cardinale stated they have served 290 senior households and 400 individuals in Milpitas.

MOTION to close the public hearing.

M/S: Mandal, Abelardo

Ayes: 9

Commissioner Mohsin asked about the priority ranking. Staff stated it depends on the services each agency provides.

Chair Garcia read a letter from Vice-Chair Iloreta regarding the amounts for each agency. Chair Garcia also stated that the CAC needs to know more about CDBG and the process and what is involved. Councilmember Polanski suggested that there should be a workshop prior to the funding of CDBG funds with the CAC on how to allocate funds and explain the ranking process. Commissioner Mandal agrees that the CAC should have a work session. Staff stated that the workshop should be geared to the CDBG process and matrix.

Chair Garcia stated that staff recommends the public service priorities would be changed to the following:

1. Senior Services
2. Youth Teen Services
3. Homeless Sheltering / Services
4. Child Care
5. Battered Women Sheltering / Services

The non-public services would remain the same:

1. Home Repair / Rehabilitation
2. New Affordable Housing Construction
3. Rental Rehabilitation

Commissioner Ranker asked why #5 - Battered Women Sheltering is in last position. Staff stated that seniors have always been the number one priority. The City is required by CDBG regulations to fund homelessness and address the issue of homelessness. Teens were changed because over the last couple of years there are three programs that this Commission has forwarded to the Council to fund in regards to recreation. Councilmember Polanski clarified that the facility for battered women moved to a different city, which affected its priority.

Commissioner Ranker asked about gauging public demand on some of these services. Staff stated that the City monitors each agency by having them submit a quarterly report as required by HUD.

Staff stated that they spoke to the Chief of Police and Fire Chief regarding omitting crime prevention and they had no objection to it.

Councilmember Polanski asked if there are any types of preschool or pre-kindergarten programs allowed in the CDBG funding. Staff stated that there was as long as they benefit low-income households.

MOTION to recommend the City Council maintain the current established funding priorities for FY 2004-2006 with the deletion of Crime Prevention and moving priority #4, Youth Teen Services, to priority #2 under the Public Service Category.

M/S: Mandal, Mohsin

Ayes: 9

X. New Business

a. Campaign Code of Ethics Next Steps.

Staff stated that on September 2, 2003, City Council approved the CAC's recommendations regarding campaign ethics. The Council's action specifically was to prepare a campaign code of ethics similar to Santa Clara's that would cover not only candidates, but Council members, other Commissioners, and employees as well. Secondly, the Council took action to employ the services of a qualified professional to lead ethical conduct workshops and to assist in preparation of a campaign code of ethics.

Staff stated it was determined that the existing SOP would need to be modified to limit it to a financial code of ethics and that this should be added to the scope of work. Staff is proposing the next steps begin with:

1. Staff preparation of a draft RFQ for CAC review at their November 5, 2003 meeting.
2. Mail out of RFQ week of November 10th with responses due by December 3rd.
3. CAC status report of RFQ responses at the December 3, 2003 CAC meeting.
4. Review of RFQ responses and selection of consultant by January 2, 2004.
5. Recommendation to City Council to approve consultant contract at the January 20, 2004 City Council meeting.

Commissioner Lee asked if there was a budget yet for the consultant. Staff stated no there was not. Commissioner Mandal asked how many consultants there were. Staff stated that they have just started research on this kind of work.

Chair Garcia asked if any of the CAC is on the City's working group. Staff stated that this is a staff group and that they would bring back status reports every month to the Commission for input.

Councilmember Polanski presented videos to the Commission on Boards and Commissions. She stated that these tapes would be beneficial for candidates. She also recommends showing this video at the November CAC meeting.

Chair Garcia stated this is a training program for candidates and staff for next year. Commissioner Mandal stated that this training program should be ongoing. He is pleased with staff's presentation. Commissioner Ranker requested that staff add information to the packets next month regarding availability of resources. Commissioner Mandal suggested showing the video at City Hall.

MOTION to approve the next steps as the process for carrying out the Council's September 2, 2003 action regarding a campaign code of ethics and related education program.

M/S: Ranker, Luna

Ayes: 9

b. Review of Proposed Heritage Tree Nomination Process.

Staff stated that the subcommittee prepared revisions to the existing tree ordinance and those revisions have been circulated to the various staff departments who looked at them to assess the impact on resources and enforcement and the relation to policy decisions currently being evaluated by management that are related to this issue. Based on the need to revisit some of the components of the proposed revisions prior to forwarding them to Council for adoption, staff will be presenting recommendations for further revisions to the ordinance at the November CAC meeting. One part of the work plan task that was put on hold while the ordinance was being crafted was the Heritage Tree program component.

Staff, Carol Randisi, stated that the purpose of the program is to help raise awareness about the City's heritage trees, and to help recognize and protect these trees. Any individual may request a heritage tree designation with written consent by the property owner. The nomination form would be submitted to the Public Works department. The CAC would review any of the nominations in January, May, and October. Heritage tree recommendation status by the CAC will be forwarded to the City Council for designation. Inventory would be compiled by the Public Works department and maintained by the City Clerk. Permits would be needed to prune such a tree. There would be guidelines to care for the heritage trees. The property owner would need to submit a request to the CAC for removal of a heritage tree.

Commissioner Lee thanked staff for a great program and wanted to know if the nomination form was available. Staff stated that it is still in the review process and would be forwarded to Council with the ordinance.

Commissioner Pham asked if the tree ordinance would be disclosed to all realtors. Staff stated that there was discussion on having a workshop for anyone who is interested in learning about the ordinance.

Commissioner Robinson asked how often the ordinance is enforced. Staff stated they receive calls daily. There are about 60 service requests issued per month. Code Enforcement has the authority to levy fines.

Commissioner Mandal asked who designates a tree as a heritage tree. Staff stated that the property owner would have to give written consent in order for a tree to be designated as a heritage tree.

MOTION to approve the draft heritage tree program process and nomination form with consideration for a designation sign for the heritage tree.

M/S: Mandal, Mohsin

Ayes: 9

c. Discuss 2003 Subcommittee/Task Force Assignments.

Neighborhood Preservation Subcommittee (Abelardo, Lee, Mohsin, and Robinson)

Mr. Queenan stated that he has driven around neighborhoods. There is garbage scattered all over. He wanted to reaffirm the need to continue with enforcement. There are street issues that need to be addressed. He stated that he and his neighborhood are willing to help the City. Chair Garcia stated that the subcommittee would be in contact with him on these issues.

Gloria Anaya of staff stated that she would be opening up service requests on all the addresses Mr. Queenan handed her and follow up on these requests.

Commissioner Mandal asked if there is any enforcement behind garbage can issues. Staff stated if there are any other solid waste issues associated with a garbage can situation they have not issued any citations. Many times when a letter is sent to the property owner, he is not aware of the ordinance. It is a matter of education.

Councilmember Polanski stated that if any one has an issue to be sure to report it to the Code Enforcement department.

Mr. Queenan stated that where you have the poorest looking areas you usually have drug issues and other issues that go with that. Mr. Queenan suggested that realtors provide new homeowners with rules of the City.

Commissioner Ranker commented on the fees of parking permits for residential areas. Commissioner Abelardo asked the length of the permits. Mr. Queenan stated that Santa Cruz has 30-day parking permits.

Mayor's Term-Length (Garcia, Lee, Mandal, and Pham)

Interviews have been completed. A report will be brought back to the Commission at the November CAC meeting.

Town Hall Meeting (Garcia, King, Ortiz, and Pham)

The agenda is set. There is a lot of publicity coverage. Chair Garcia felt staff has done a marvelous job of communicating. Chair Garcia praised Gloria Anaya for a job well done.

50th Year Anniversary (Mohsin, Alternate-Mandal)

The logo has been approved. There will be joint celebrations with other City events throughout the year. The subcommittee is asking anyone who might have historical photos to please let them know. They are working on a historical book.

XI.
Adjournment

Chair Garcia adjourned the meeting at 9:10 p.m. to the November 5, 2003 meeting.

Respectfully submitted,

Yvonne Andrade, Recording Secretary